

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JAMES BUCKNER,

Plaintiff,

v.

EDWARD ROCHFORD, et al.,

Defendants.

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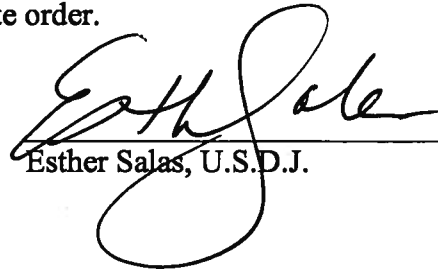
Civil Action No. 11-7221 (ES)

MEMORANDUM OPINION

THIS CIVIL ACTION, filed pursuant to 42 U.S.C. § 1983, was previously dismissed by Opinion and Order for failure to state a claim, (D.E. Nos. 16, 17); Plaintiff filed an Amended Complaint which contained additional facts in support of the claims made in his original Complaint (D.E. No. 20); however, he did not supply sufficient information to overcome the deficiencies of the initial Complaint and the Court dismissed his Amended Complaint, (D.E. No. 23); the Court granted Plaintiff leave to file a Second Amended Complaint, which Plaintiff did on February 4, 2013, (D.E. Nos. 25, 27); in his Second Amended Complaint, Plaintiff again failed to set forth any facts to establish any viable constitutional claims and the Court dismissed it, (D.E. No. 28); the Court did not grant Plaintiff leave to file a third amended complaint, however, on February 10, 2014, nearly nine months after this Court had dismissed Plaintiff's Second Amended Complaint, Plaintiff filed another amended complaint, (D.E. No. 29); and

THE COURT FINDING that as in his previous three complaints, Plaintiff has again failed to state a claim for failure to protect or denial of medical care; for the reasons stated in this Court's previous Opinions and Orders, the Third Amended Complaint will be dismissed in its entirety pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1); and the Court having considered the

matter without oral argument pursuant to Rule 78(b) and Local Civil Rule 7.1(i); and for good cause appearing, the Court will issue an appropriate order.



Esther Salas, U.S.D.J.